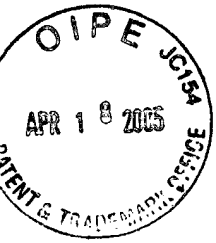


87-2616



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Confirmation Number: 8519
	:	
James Barton, et al.	:	Group Art Unit: 2616
	:	
Serial No.: 09/665,921	:	Examiner: Jamie J. Vent
	:	
Filed: September 20, 2000	:	
	:	
For: CLOSED CAPTION TAGGING	:	
SYSTEM	:	

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Non-Compliant Amendment dated March 24, 2005, the statute period which runs until April 24, 2005 which complies with 37. C.F.R. 1.121, for the application referenced above wherein restriction has been required, Applicants hereby elect without traverse Claims 1-14, 28-41 and 55-68 of Group I for examination.

Please cancel all other claims in Groups II and III.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

NO FEE TRANSMITTAL for FY 2005				Complete if Known																																															
<i>Patent fees are subject to annual revision, Small Entity payments <u>must</u> be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§ 1.27 AND 1.28</i>				Application Number		09/665,921																																													
				Filing Date		September 20, 2000																																													
				First Named Inventor		James Barton, et al.																																													
				Examiner Name		Jamie J. Vent																																													
				Group/Art Unit		2616																																													
TOTAL AMOUNT OF PAYMENT		(\$)		0.00		Attorney Docket No.		60097-0112																																											
METHOD OF PAYMENT (check one)				FEE CALCULATION (continued)																																															
1. <input checked="" type="checkbox"/> Throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1302. A duplicate of this sheet is enclosed. Deposit Account Number: <u>50-1302</u> Deposit Account Name: <u>Hickman Palermo Truong & Becker, LLP</u>				3. ADDITIONAL FEES																																															
				Large Entity Fee Code		Small Entity Fee Code		Fee Description		Fee Paid																																									
				Fee (\$)		Fee (\$)																																													
2. <input type="checkbox"/> Payment Enclosed: <input type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other				1051	130	2051	65	Surcharge – late filing fee or oath																																											
				1052	50	2052	25	Surcharge – late provisional filing fee or cover sheet.																																											
				1053	130	1053	130	Non-English specification																																											
3. <input type="checkbox"/> Applicant(s) is entitled to small entity status. See 37 CFR 1.27.				1812	2,520	1812	2,520	For filing a request for reexamination																																											
				1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action																																											
				1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action																																											
FEE CALCULATION				1251	110	2251	55	Extension for reply within first month																																											
				1252	420	2252	210	Extension for reply within second month																																											
				1253	950	2253	475	Extension for reply within third month																																											
1. BASIC FILING FEE				1254	1,480	2254	740	Extension for reply within fourth month																																											
				1255	2010	2255	1005	Extension for reply within fifth month																																											
				1401	330	2401	165	Notice of Appeal																																											
<table border="1" style="width:100%; border-collapse: collapse;"><thead><tr><th>Large Entity Fee Code</th><th>Large Entity Fee (\$)</th><th>Small Entity Fee Code</th><th>Small Entity Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>1001</td><td>770</td><td>2001</td><td>385</td><td>Utility filing fee</td><td></td></tr><tr><td>1002</td><td>340</td><td>2002</td><td>170</td><td>Design filing fee</td><td></td></tr><tr><td>1003</td><td>530</td><td>2003</td><td>265</td><td>Plant filing fee</td><td></td></tr><tr><td>1004</td><td>770</td><td>2004</td><td>385</td><td>Reissue filing fee</td><td></td></tr><tr><td>1005</td><td>160</td><td>2005</td><td>80</td><td>Provisional filing fee</td><td></td></tr><tr><td colspan="5" style="text-align: right;">SUBTOTAL (1)</td><td>(\$) 0.00</td></tr></tbody></table>				Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid	1001	770	2001	385	Utility filing fee		1002	340	2002	170	Design filing fee		1003	530	2003	265	Plant filing fee		1004	770	2004	385	Reissue filing fee		1005	160	2005	80	Provisional filing fee		SUBTOTAL (1)					(\$) 0.00	1402	330	2402	165	Filing a brief in support of an appeal	
				Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid																																										
				1001	770	2001	385	Utility filing fee																																											
1002	340	2002	170	Design filing fee																																															
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1004	770	2004	385	Reissue filing fee																																															
1005	160	2005	80	Provisional filing fee																																															
SUBTOTAL (1)					(\$) 0.00																																														
2. EXTRA CLAIM FEES				1403	290	2403	145	Request for oral hearing																																											
				1451	1,510	1451	1,510	Petition to institute a public use proceeding																																											
				1452	110	2452	55	Petition to revive – unavoidable																																											
<table border="1" style="width:100%; border-collapse: collapse;"><thead><tr><th>Total Claims</th><th>Highest Paid Claims</th><th>Extra Claims</th><th>Fee from Below</th><th>Fee Paid</th></tr></thead><tbody><tr><td>42</td><td>-81=</td><td>0</td><td>18.00</td><td>= 0.00</td></tr><tr><td>3</td><td>-9=</td><td>0</td><td>88.00</td><td>= 0.00</td></tr><tr><td colspan="4">Multiple Dependent</td><td></td></tr></tbody></table> <i>**or number previously paid, if greater; For Reissues, see below</i>				Total Claims	Highest Paid Claims	Extra Claims	Fee from Below	Fee Paid	42	-81=	0	18.00	= 0.00	3	-9=	0	88.00	= 0.00	Multiple Dependent					1453	1330	2453	665	Petition to revive – unintentional																							
				Total Claims	Highest Paid Claims	Extra Claims	Fee from Below	Fee Paid																																											
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				Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description																																											
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SUBTOTAL (2)					(\$) 0.00																																														
SUBMITTED BY				1502	480	2502	240	Design issue fee																																											
				1503	640	2503	320	Plant issue fee																																											
				1460	130	1460	130	Petitions to the Commissioner																																											
<table border="1" style="width:100%; border-collapse: collapse;"><thead><tr><th>Name (Print/Type)</th><th>Registration No. (Attorney/Agent)</th><th>Telephone</th></tr></thead><tbody><tr><td>Kirk D. Wong</td><td>43,284</td><td>(408) 414-1080</td></tr><tr><td><i>[Signature]</i></td><td></td><td></td></tr></tbody></table>				Name (Print/Type)	Registration No. (Attorney/Agent)	Telephone	Kirk D. Wong	43,284	(408) 414-1080	<i>[Signature]</i>			1807	50	1807	50	Petitions related to provisional applications																																		
				Name (Print/Type)	Registration No. (Attorney/Agent)	Telephone																																													
				Kirk D. Wong	43,284	(408) 414-1080																																													
<i>[Signature]</i>																																																			
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.				1806	180	1806	180	Submission of information Disclosure Stmt																																											
				8021	40	8021	40	Recording each patent assignment per property (times number of properties)																																											
				1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))																																											
Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. P022				1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))																																											
				Other fee (specify)																																															
				Other fee (specify)																																															
Reduced by Basic Filing Fee Paid				SUBTOTAL (3)		(\$) 0.00																																													